

SCOTTSDALE

CITY COUNCIL MEETING

AGENDA



COUNCIL

Mary Manross, Mayor

Betty Drake

Wayne Ecton

W.J. "Jim" Lane

Robert W. Littlefield

Ron McCullagh

Kevin J. Osterman

Tuesday, August 31, 2004

5:00 P.M.

MARKED AGENDA

CITY COUNCIL MEETING

Call to Order – City Hall Kiva Forum, 3939 N. Drinkwater Boulevard - **5:01 P.M.**

Roll Call – **ALL PRESENT**

Pledge of Allegiance – **VICE MAYOR ROBERT LITTLEFIELD**

Invocation – **PASTOR DAVID HODGSON OF THE CONGREGATIONAL CHURCH OF THE VALLEY**

Presentations/Information Updates - **NONE**

Public Comment – **MIKE ALOISI** – SUGGESTED THAT THE LOCAL MUNICIPALITIES HONOR THE RECENTLY FALLEN PHOENIX OFFICERS BY SPONSORING A FUNDING CAMPAIGN FOR THEIR FAMILIES; **DARLENE PETERSEN** – NOTED THAT THE NEW BUS SHELTERS LOOK GREAT AND VOLUNTEERED TO HELP PAINT THE BLUE ONES BROWN WHILE EXPRESSING HER BELIEF THAT THERE SHOULD BE NO ADVERTISING ON THE BENCHES

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. Please check the box that refers to "public comment." This "public comment" time is reserved for citizen comments regarding non-agendized items. No official Council action can be taken on these items.

Minutes – **OK** – **7/0**

SPECIAL MEETINGS

Monday, June 28, 2004

Wednesday, July 7, 2004

REGULAR MEETINGS

Tuesday, July 6, 2004

Wednesday, July 7, 2004

EXECUTIVE SESSIONS

How the Consent Agenda Works: The Council may take one vote to act on all items on the Consent Agenda, or may remove items for further discussion. Every interested citizen will have one opportunity to speak on any or all Consent Agenda items. If you wish to speak on these items, please complete a comment card for each topic you wish to address. **You will be given at least three minutes to speak on all the Consent Agenda items you wish to address. Additional time for multiple agenda items will be at the Mayor's discretion.**

After all speakers have finished, the City Council will decide which items to remove for additional discussion and/or presentation from staff. Items not removed from the Consent Agenda will be considered in one motion. Items removed for clarification or discussion by the Council will be acted on as appropriate.

1. License Agreement for Outdoor Dining Restaurant - OK – WITH CHANGES – 6/1 (RM)

Requests:

1. Adopt Resolution No. 6545 authorizing Agreement No. 2004-130-COS with Trilogystics Corporation for the use of approximately 684 square feet of the City of Scottsdale street right-of-way (ROW) at 4151 North Marshall Way for outdoor dining at the adjacent restaurant property.
2. Approve the erection of a three-foot high metal fence in the City of Scottsdale ROW as required by the State of Arizona to define the boundary of a liquor service area.

Related Policies, References:

- Section 2-221(b)(5) of the Scottsdale Revised Code allows the sale of City real property interests, including licenses, directly to adjoining property owners.
- Resolution No. 4998, adopted February 29, 2002, authorized a license with Wildchild Investments to operate outdoor dining within City ROW at 4310 North Brown Avenue. This license also served to establish evaluation criteria for outdoor dining use of public ROW.
- Resolution No. 6433, adopted January 20, 2004, authorized a license with J.E. Southwest Group, LLC at 4245 North Craftsmans Court.
- Development Review Board approved the proposed outdoor dining plans at this location on August 19, 2004.

Staff Contact(s): Al Dreska, Municipal Services General Manager, 480-312-5555, adreska@scottsdaleaz.gov; Stanley F. Seigal, Asset Management Coordinator, 480-312-7042, sseigal@scottsdaleaz.gov

2. Bada Boom! Pasta Room Restaurant Liquor License - OK – 7/0

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a series 12 (restaurant) liquor license for a location that previously operated as Sugo Pastaria Wine bar. This location is operating with an interim permit.

Location: 4151 N. Marshall Way

Reference: 55-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

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3. Radda Restaurant Liquor License - OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) liquor license for an existing location that previously operated with a series 12 license under the business name Nantucket Seafood & Raw Bar.

Location: 7000 E. Shea Boulevard, Ste. 125

Reference: 45-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

4. Humphrey's Pacific Rim Restaurant Liquor License - OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) liquor license for an existing location currently operating with an interim permit. This location previously operated as I Love Sushi & Steak.

Location: 11144 N. Frank Lloyd Wright Boulevard, Ste. E-9

Reference: 46-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

5. Mythos Greek Restaurant Liquor License - OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) liquor license for a location currently operating with an interim permit.

Location: 2515 N. Scottsdale Road

Reference: 47-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

6. HGM's Sports Bar & Grill Restaurant Liquor License - OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) liquor license for a location currently operating with an interim permit. This location previously operated as Victory Sports Grill.

Location: 7103 E. McDowell Road

Reference: 49-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

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7. Hand-Select Wines Wholesaler Liquor License - OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 4 (wholesaler) liquor license for an individual planning to store wine in an existing storage facility.

Location: 10456 N. 74th Street

Reference: 50-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

8. CRU Fine Wines Beer & Wine Bar Liquor License - OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a person and location transfer of a series 7 (beer & wine bar) to a new location with a proposed opening date of mid-September.

Location: 10855 N. 116th Street, Ste. 160

Reference: 51-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

9. Stan's Deli Restaurant Liquor License - OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) liquor license for an existing location.

Location: 7212 E. Main Street

Reference: 52-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

10. Sandbar Mexican Grill Restaurant Liquor License - OK - C

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a new series 12 (restaurant) liquor license for a location currently operating with an interim permit.

Location: 10050 N. Scottsdale Road

Reference: 54-LL-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

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11. Coach House Tavern Extension of Premises - OK - C

Request: Consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for the Applicant to add a patio and to serve alcohol on the patio. This is an existing establishment.

Location: 7011 E. Indian School Road

Reference: 20-EX-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

12. Blue Wasabi Extension of Premises - WITHDRAWN

Request: To consider forwarding a favorable recommendation to the Arizona Department of Liquor Licenses and Control for a permanent extension of premises for an existing gated, fully enclosed patio for Blue Wasabi.

Location: 20751 N. Pima Road, Ste. 100

Reference: 25-EX-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov; Bob Bushfield, Plan Review and Permit Services Director, 480-312-7096, bbushfield@scottsdaleaz.gov

13. Valley Ho Abandonment - OK - C

Request: Adopt Resolution No. 6528 transferring ownership of the Main Street right-of-way as approved in Case 7-AB-2002 by City Council on November 5, 2002.

Location: 6850 E. Main Street

Reference: 7-AB-2002

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Pete Deeley, Project Coordination Manager, 480-312-2554, pdeeley@scottsdaleaz.gov

14. Urman Residence Abandonment - OK - C

Requests:

1. Abandon a 164 +/- foot long section of road right-of-way along Buckskin Trail.
2. Reserve an 8-foot-wide Public Utility Easement through the abandonment area.
3. Adopt Resolution No. 6534 vacating and abandoning a public right-of-way.

Location: 13015 E. Buckskin Road

Reference: 7-AB-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Al Ward, Senior Planner, 480-312-7067, award@scottsdaleaz.gov

15. Mark Lane Abandonment - OK - WITH CHANGES

Requests:

1. Abandon 20 feet of street right-of-way and 33 feet of Government Lands Office (G.L.O.) easement along a portion of Mark Lane.
2. Abandon 13 feet of G.L.O. easement along the east side of 75th Street.
3. Adopt Resolution No. 6536 vacating and abandoning a public right-of-way.

Location: 28455 N. 75th Street

Reference: 8-AB-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Al Ward, Senior Planner, 480-312-7067, award@scottsdaleaz.gov

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16. Cuisine D'Amis Rezoning - OK – WITH CHANGES – 7/0

Requests:

1. Rezone from Multiple-Family Residential District, Downtown Overlay (R-5 DO) to Downtown/Office Residential Type 2, Downtown Overlay, (D/OR-2 DO) on a parcel located at 6926 E. 2nd Street.
2. Adopt Ordinance No. 3583 affirming the above rezoning.

Location: 6926 E. 2nd Street

Reference: 5-ZN-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Suzanne Colver, Senior Planner, 480-312-7087, scolver@scottsdaleaz.gov

17. McDowell Mountain Business Park - OK - C

Requests:

1. Rezone from General Commercial, Planned Community Development District (C-4 PCD) to Industrial Park, Planned Community Development District (I-1 PCD) on approximately one acre and amend development standards/stipulations/site plan to case 7-ZN-2000 on a 16+/- acre parcel located at the southwest corner of 90th Street and Bahia Drive.
2. Adopt Ordinance No. 3585 affirming the above rezoning, the amended developments standards and the amended site plan/stipulations.

Location: Southwest corner of 90th Street and Bahia Drive

Reference: 8-ZN-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Al Ward, Senior Planner, 480-312-7067, award@scottsdaleaz.gov

18. School Of Real Estate and Business Rezoning - OK - C

Requests:

1. Rezone from Highway Commercial District, Downtown Overlay (C-3 DO) to Downtown/Office Commercial Type 2 District, Downtown Overlay (D/OC-2 DO) on an approximately one-acre parcel located at the northeast corner of Marshall Way and 2nd Street.
2. Adopt Ordinance No. 3582 affirming the above rezoning.

Location: Northeast corner of Marshall Way and 2nd Street

Reference: 10-ZN-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Bill Verschuren, Senior Planner, 480-312-7734, bverschuren@scottsdaleaz.gov

19. DC Ranch Parcels 5.9b and 5.9c Final Plat - OK - C

Request: Approve the Final Plat for 37 residential lots on 40 acres at DC Ranch Parcels 5.9b and 5.9c.

Location: DC Ranch Planning Unit 5

Reference: 6-PP-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@scottsdaleaz.gov

20. Canyon VI at DC Ranch (Parcel 6.8) Final Plat - OK - C

Request: Approve the Final Plat for 43 lots on 166 acres at DC Ranch Parcel 6.8 (Canyon VI).

Location: Deer Valley Road Alignment, east of Saguaro Canyon Trail

Reference: 9-PP-2003

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@scottsdaleaz.gov

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21. DC Ranch Parcel 5.9a Final Plat - OK - C

Request: Approve the Final Plat for a 4-lot, single-family residential subdivision on a 5+/- acre parcel at DC Ranch Planning Unit 5.

Location: DC Ranch Planning Unit 5 (Union Hills and 104th Street Alignments)

Reference: 2-PP-2004

Staff Contact(s): Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@scottsdaleaz.gov

Regular Agenda begins on the following page

How the Regular Agenda Works: The Council takes a separate action on each item on the Regular Agenda. If you wish to address the Council regarding any or all of the items on the Regular Agenda, please complete a comment card for each topic you wish to address and submit it to the City Clerk. **You will be given at least three minutes to speak per item. Comment cards must be submitted before public testimony has begun on any regular agenda or public hearing item.**

22. Waterford Villas General Plan Amendment and Rezoning - OK – 7/0**Requests:**

1. Approve a non-major General Plan amendment from Office to Urban Neighborhoods on a 5.45 +/- acre parcel located at 10757 N. 74th Street (northeast corner of Shea Blvd and 74th Street).
2. Rezone from Service Residential District (S-R) to Medium-Density Residential District (R-3) on a 5.45 +/- acre parcel located at 10757 N. 74th Street (northeast corner of Shea Blvd and 74th Street).
3. Adopt Resolution No. 6535 affirming the above General Plan Amendment.
4. Adopt Ordinance No. 3584 affirming the above rezoning.

Location: 10757 N. 74th Street (northeast corner of Shea Boulevard and 74th Street)

Reference: 7-GP-2004 and 7-ZN-2004

Staff Contact(s): Kroy Ekblaw, Planning and Development Services General Manager, 480-312-7064, kekblaw@scottsdaleaz.gov, Randy Grant, Chief Planning Officer, 480-312-7995, rgrant@scottsdaleaz.gov; Tim Curtis, Project Coordination Manager, 480-312-4210, tcurtis@scottsdaleaz.gov

Public Comment - NONE

Citizens may complete one speaker/citizen comment card per night and submit it to the City Clerk before or during this evening's meeting. This "public comment" time is reserved for citizen comments regarding non-agendized items. No official Council action will be taken on these items.

City Manager's Report - NONE**Mayor and Council Items - NONE****Adjournment – 6:26 P.M.**

Section 2.17 of the Scottsdale City Code states, "Regular Meetings that are scheduled to be conducted on consecutive days may be combined and held on either of the two (2) days, at the election of the council, and shall be considered a single meeting." The Council may hold over any items noticed on the Monday agenda to the agenda for the Tuesday meeting.